

UNITED STATES PATENT AND TRADEMARK OFFICE

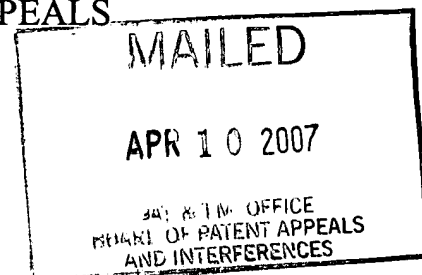
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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte JEONGMIN MOON

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Application No. 09/589,881

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ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

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This application was received electronically at the Board of Patent Appeals and Interferences on January 12, 2007. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

On August 9, 2005, an Examiner's Answer was entered into the record. In the Evidence Relied Upon section, page 3, paragraph 8, the examiner stated "No evidence was relied upon". However a review of the Grounds of Rejections sets forth the following references:

Shinji et al

US 6,259,854B1

Funamoto et al

EP08878720A (in applicant's IDS)

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A review of the file reveals that reference Shinji et al. (US Patent No. 6,259,854 B1) was used in the rejection of claims 1-4, 6-9, 11 and 14-21, 23 and 24, and reference Funamoto et al. (EP 08878720A (in applicant's IDS)) was used in the rejection of claim 10, as stated in the Grounds of Rejection, paragraph (9) of the examiner's answer. The Manual of Patent Examining Procedure, in § 1207.02 states:

*(8) Evidence Relied Upon.* A listing of the evidence relied on (e.g., patents, publications, admitted prior art), and, in the case of nonpatent references, the relevant page or pages.


Before further review, the examiner must mail a PTOL-90 that will include in the amended Evidence Relied Upon section, the list of references mentioned in the Grounds of Rejections. Appropriate correction is required.

Accordingly, it is **ORDERED** that the application is returned to the Examiner to:

- 1) issue and mail a PTOL-90 having the missing references listed under the Evidence Relied Upon section, heading (8) of the Examiner's Answer; and
- 2) for such further action as may be appropriate.

Application No. 09/589,881

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By:   
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PJN/dal

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